

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DAVID E. LEWIS, JR.,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 2:15-cv-01202 JRC

ORDER ON STIPULATED MOTION
FOR EQUAL ACCESS TO JUSTICE
ACT FEES

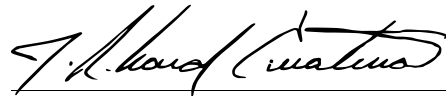
This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6). This matter is before the Court on plaintiff's Stipulated Motion for Equal Access to Justice Act Fees (*see* Dkt. 15).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of the parties (*see* Dkt. 15), the attorney declaration and time itemizations (Dkt. 15, Attachments 2, 3), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$3,967.34 shall

1 be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct.
2 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after the Order for
4 EAJA fees is entered to determine if the EAJA fees are subject to any offset. If it is determined
5 that plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to David Oliver,
7 Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see* Plaintiff's
8 Declaration Regarding Net Worth and Payment of EAJA Fees, Dkt. 15, Attachment 4). If there
9 is an offset, the remainder shall be made payable to plaintiff, based on the practice of the
10 Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA
11 fees shall be mailed to plaintiff's counsel, David Oliver, Esq., at David Oliver & Associates,
12 2608 South 47th Street, Suite C, Tacoma, WA 98409.

13 Dated this 8th day of March, 2016.

14 

15 J. Richard Creatura
16 United States Magistrate Judge